IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

GERALD GEORGE, et al.

Plaintiffs,

v.

Case No. 08-CV-03799

Judge Ruben Castillo

KRAFT FOODS GLOBAL, INC., et al.,

Defendants

ALTRIA DEFENDANTS' UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND

Corporate Employee Plans Investment Committee of the Board of Directors of Altria Group, Inc., Altria Corporate Services Inc., and Benefits Investment Group of Altria Corporate Services, Inc. (collectively, the "Altria Defendants"), hereby move for an unopposed extension of time until August 25, 2008, in which to answer or otherwise plead in response to Plaintiffs' Complaint in the above-captioned matter. In support thereof, the Altria Defendants state as follows:

- 1. On July 2, 2008, Plaintiffs filed their Class Action Complaint (the "Complaint"). Thereafter, on July 8, 2008, then counsel for the Altria Defendants, Winston & Strawn, agreed to accept service of the Complaint.
- 2. On July 24, 2008 this Court granted the Altria Defendants' unopposed motion for an extension of time until August 22, 2008, in which to answer or otherwise plead in response to the Complaint.
- 3. The Altria Defendants are seeking this brief, additional extension of time to respond to Plaintiffs' Complaint because: (i) the Altria Defendants have recently appointed Proskauer Rose LLP ("Proskauer") as substitute counsel to represent them in this case; and (ii)

Case 1:08-cv-03799 Document 31 Filed 08/20/2008 Page 2 of 4

Proskauer's ability to respond to the Complaint has been inhibited by simultaenous discovery

proceedings taking place in a related action commenced by Plaintiffs, in connection with which

Proskauer has been engaged in active discussions with Plaintiffs' counsel in an effort to arrive at

an agreeable schedule for that discovery.

4. On August 20, 2008, counsel for the Altria Defendants spoke with

Plaintiffs' counsel regarding this motion for an extension of time to answer or otherwise plead in

response to Plaintiffs' Complaint, and Plaintiffs' counsel stated that Plaintiffs do not object to the

extension of time requested by this motion.

5. This motion is not made for purposes harassment or undue delay, nor is it

due to any oversight or lack of diligence on the part of the Altria Defendants.

WHEREFORE, the Altria Defendants request an extension of time until August

25, 2008, in which to answer or otherwise plead in response to the Complaint in this matter.

Dated: August 20, 2008

Respectfully submitted,

DEFENDANTS CORPORATE

EMPLOYEE PLANS

INVESTMENT COMMITTEE OF

THE BOARD OF DIRECTORS OF

ALTRIA GROUP, INC. (F/K/A

PHILIP MORRIS COMPANIES

INC.), ALTRIA CORPORATE

SERVICES, INC., AND BENEFITS

INVESTMENT GROUP OF ALTRIA CORPORATE

SERVICES, INC.

/s/ Steven R. Gilford

One of Their Attorneys

Steven R. Gilford (sgilford@proskauer.com)

2

PROSKAUER ROSE LLP

222 South Riverside Plaza, 29th Floor

Chicago, Illinois 60606 Phone: (312) 962-3513 Fax: (312) 962-3551

Myron Rumeld (mrumeld@proskauer.com)

PROSKAUER ROSE LLP

1585 Broadway

New York, New York 10036

Phone: (212) 969-3021 Fax: (212) 969-3006

Amy Covert (acovert@proskauer.com)

PROSKAUER ROSE LLP

One Newark Center

18th Floor

Newark, New Jersey 07102

Phone: (973) 274-3200 Fax: (973) 274-3299

CERTIFICATE OF SERVICE

The undersigned counsel certifies that on August 20, 2008, true and correct copies of the foregoing Unopposed Motion for an Extension of Time to Answer or Otherwise Respond were duly presented to the Clerk of Court for filing and uploading to the CM/ECF system, which will send notification of such filing to the following CM/ECF registrants:

Nelson G. Wolff Troy A. Doles SCHLICHTER, BOGARD & DENTON 100 South Fourth Street Suite 900 St. Louis, Missouri 63102 nwolff@uselaws.com tdoles@uselaws.com

Ronald J. Kramer Ian H. Morrison Amanda A. Sonneborn Sam Schwartz-Fenwick SEYFARTH SHAW LLP 131 South Dearborn Street, Suite 2400 Chicago, IL 60603 rkramer@seyfarth.com imorrison@seyfarth.com asonneborn@seyfarth.com sschwartz@seyfarth.com

/s/ Steven R. Gilford Stephen R. Gilford